

10-18-06

PCT

IAP13 Rec'd PCT/PTO 16 OCT 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Samuel WAKSAL  
 International Application No. : PCT/US2004/18451  
 International Filing Date : June 9, 2004  
 U.S. Serial No. : 10/560,209  
 For : **METHOD OF INHIBITING RECEPTOR  
TYROSINE KINASES WITH AN  
EXTRACELLULAR ANTAGONIST AND  
AN INTRACELLULAR ANTAGONIST**  
 Attorney Docket No. : 11245/48902  
 Customer No. : 26646



**Mail Stop PCT**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**RESPONSE TO MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371**

SIR:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (mailed March 15, 2006), Applicant submits herewith a fully executed Declaration and Power of Attorney in order to complete the filing requirements for the U.S. national phase of the above-identified PCT application. The application filed in the Patent Office is the application which the inventor executed by signing the Declaration and Power of Attorney. A copy of the Notification of Missing Requirements is also enclosed.

Applicant hereby requests a **five-month extension of time** for responding to the Notice dated March 15, 2006, which set a two-month period for response. The extended period for response expires on October 16, 2006 since October 15, 2006 falls on a Sunday. Please charge the **\$2,160.00** extension fee and the **\$130.00** fee to cover the surcharge for late filing of the Declaration and any additional fees associated with this communication to the deposit account of Kenyon & Kenyon LLP, **Deposit Account Number 11-0600**. The Commissioner is also authorized to charge any additional fees or credit any overpayment associated with this communication to deposit account number 11-0600.

It is respectfully requested that the Attorney Docket Number for this application be changed to the following: - 13821/48902 -.

10/23/2006 ATRAN1 00000126 110600 10560209  
 01 FC:1617 130.00 DA  
 10/23/2006 ATRAN1 00000126 110600 10560209  
 02 FC:1255 2160.00 DA  
 Date: October 16, 2006

Respectfully submitted,

KENYON & KENYON LLP

By: Jong Lee for Lawrence Casson

Lawrence P. Casson, Reg. No. 46,606  
 One Broadway  
 New York, NY 10004  
 (212) 425-7200 (Telephone)  
 (212) 425-5288 (Facsimile)

Express Mail No. EV 322950969 US



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/560,209	Samuel Waksal	11245/48902
INTERNATIONAL APPLICATION NO.		PCT/US04/18451
I.A. FILING DATE		PRIORITY DATE
06/09/2004		06/09/2003
CONFIRMATION NO. 2944		
371 FORMALITIES LETTER		
 *OC000000018268785*		

Date Mailed: 03/15/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/09/2005
- Copy of the International Search Report filed on 12/09/2005
- Preliminary Amendments filed on 12/09/2005
- Information Disclosure Statements filed on 12/09/2005
- Request for Immediate Examination filed on 12/09/2005
- Copy of references cited in ISR filed on 12/09/2005
- U.S. Basic National Fees filed on 12/09/2005
- Priority Documents filed on 12/09/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

---

Telephone: (703) 308-9140 EXT 227

**PART 1 - ATTORNEY/APPLICANT COPY**

---

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/560,209	PCT/US04/18451	11245/48902

FORM PCT/DO/EO/905 (371 Formalities Notice)